IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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FRIDAY, THE TWENTYFOURTH DAY OF MARCH

TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

* * *

WP.No.5670 OF 2006

Between:

Sri Maruka Jagan Goud … Petitioner

Versus

The Karimnagar Municipality, … Respondent

Represented by its Commissioner,

Karimnagar, Karimnagar district.

Counsel for the Petitioner: Mr.Safdar Mirza

Counsel for the Respondents: Mr.P.Radhakrishna

SC for Municipalities

O R D E R :

The case of the petitioner is that the Karimnagar Municipality, represented by its Comissioner illegally made corrections and mutation in respect of the property bearing no.6-4-125 (old) 6-4-170 (new) situate at Shivajinagar, Karimnagar town, Karimnagar district.

It is stated that the petitioner is the absolute owner and possessor of the said house. He sold the said property in favour of Smt.Peddi Koteswari wife of Sri Vidyasagar and presented the sale deed before the Office of the Sub-Registrar, Karimnagar, and as there was deficit stamp duty, the registering authority referred the matter to the District Collector under section 47-A for determination of the market value of the property payable thereon. Thereafter, the District Registrar, Karimnagar by Proceedings No.M.V-2/1507/1997 dated 15-5-2002 directed the parties concerned to pay deficit stamp duty of Rs.66,300-00 within fifteen days.

It is the case of the petitioner that the petitioner has not received the entire sale consideration and he has requested to stop registration process and he has made a

representation to the registering authority not to register or entertain any document in respect of the said house but the unofficial respondent influenced the officials of the Municipality and got mutated the said house in the name of the purchaser.

The petitioner has not made the so-called unofficial respondent or purchaser, Smt.Peddi Koteswari as party to the writ petition and without impleading the necessary party, this writ petition has been filed without any justification whatsoever. Therefore, I am not inclined to express any opinion that the petitioner is entitled to get any relief at this stage.

The writ petition fails and is accordingly dismissed at the admission stage. No costs.

MARCH 24th, 2006. ----------

Is L. V. ESWARAIAH , J.